

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES FIRE INSURANCE  
COMPANY, et al.,

Plaintiffs/Counterclaim  
Defendants,

v.

ICICLE SEAFOODS, INC., et al.,

Defendants/Counterclaim  
Plaintiffs.

IN ADMIRALTY

NO. 2:20-cv-00401-RSM

STIPULATION FOR  
MODIFICATION OF ORDER  
SETTING TRIAL DATE AND  
RELATED DATES AND ORDER

**NOTE ON MOTION CALENDAR:  
DECEMBER 24, 2020**

Pursuant to LCR 7(d)(1) and LCR 16(b)(6), the parties, by and through their undersigned counsel of record, stipulate and agree as follows:

1. Plaintiffs/counterclaim defendants United States Fire Insurance Company, et al. and defendants/counterclaim plaintiffs Icicle Seafoods, Inc. et al. are continuing to engage in extensive written discovery between themselves, with numerous sets of discovery requests served by the parties and many thousands of pages of documents produced up to the present. The parties anticipate the production of additional documents as discovery progresses.

2. The parties have also recently agreed on the implementation of the process and timing for joint discovery of electronically stored information (“ESI”) pursuant to the Agreement Regarding Discovery of Electronically Stored Information and Order dated November 6, 2020 (Dkt. #44). The parties acknowledge and have agreed that performance of

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1 the ESI searches and completion of production of ESI is likely to be approximately May 5,  
 2 2021, substantially beyond the current deadline for completion of all remaining discovery,  
 3 March 31, 2021, under the Court's Order Setting Trial Date and Related Dates dated July 9,  
 4 2020 (Dkt. #26).

5 3. The parties agree that because of the remaining ESI discovery, additional  
 6 written discovery, and depositions needed, and the effect of that remaining discovery on the  
 7 existing pretrial deadlines and counsel's availability for trial, the parties' counsel have  
 8 conferred and have agreed on the following new case deadlines and proposed trial date,  
 9 subject to the Court's approval and any additional changes deemed necessary by the Court:

Event	Date
Expert disclosures under Fed. R. Civ. P. 26(a)(2)	<b>June 28, 2021</b>
Rebuttal expert disclosures	<b>July 26, 2021</b>
Last date to file motions related to discovery	<b>August 6, 2021</b>
Discovery completed by	<b>September 10, 2021</b>
All dispositive motions and Daubert motions must be filed by (see LCR 7(d))	<b>October 8, 2021</b>
All motions in limine must be filed by this date and noted on the motion calendar no later than the <b>THIRD</b> Friday after filing.  Motions in limine raised in trial briefs will not be considered.	<b>January 28, 2022</b>
Agreed LCR 16.1 Pretrial Order due	<b>February 16, 2022</b>
Pretrial conference	<b>To be Set by the Court</b>
Trial briefs, proposed voir dire, jury instructions and exhibits by	<b>February 23, 2022</b>
Trial date proposed (or later)	<b>February 28, 2022</b>

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 STIPULATION FOR MODIFICATION OF  
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1 4. The parties believe they have engaged in discovery diligently and reasonably  
2 promptly under the circumstances of this case, including: the number of parties; the dollar  
3 value and extent of the claims, defenses, and issues involved; the extensive written discovery  
4 required; time needed for and response to the pending motion for disqualification of counsel;  
5 and limitations imposed by the current Coronavirus pandemic on the parties and their counsel.  
6 The parties also engaged in early Rule 39.1 mediation in an ultimately unsuccessful effort to  
7 resolve the case, and believe they have realistically estimated the length of time required for  
8 completion of discovery. In addition, this is the parties' first request for modification of the  
9 case schedule.

10 5. Consequently, for good cause shown, the parties respectfully request the  
11 Court's consent to the modification of the Order Setting Trial date and Other Deadlines as  
12 proposed above.

13 Dated this 24th day of December, 2020.

14 BAUER MOYNIHAN & JOHNSON LLP

MULLIN, ALLEN & STEINER PLLC

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s/Daniel F. Mullin  
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19 Defendants United States Fire Insurance  
Company, et al.

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Timothy E. Allen, WSBA No. 35337  
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Plaintiffs Icycle Seafoods, Inc., et al.

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**ORDER**

The Court finds good cause has been shown for modification of the Order Setting Trial Date and Related Dates, and will issue a new scheduling order.

Dated this 4<sup>th</sup> day of January, 2021.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

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